

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE UNDER RULE 116  
EXPEDITED HANDLING PROCEDURES

In re Patent Application of

Atty Dkt. 3774-4  
C# M#

CHRISTOPHERS et al



TC/A.U.

1645

Serial No. 09/833,799

Examiner: Duffy, P.A.

Filed: April 13, 2001

Date: October 18, 2004

Title: NUCLEIC ACIDS

Corres. and Mail  
**BOX AF**

**Mail Stop AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SECOND AMENDMENT UNDER RULE 116**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.**

**Fees are attached as calculated below:**

Total effective claims after amendment	0	minus highest number		
previously paid for	20	(at least 20) =	0 x \$ 18.00	\$ 0.00

Independent claims after amendment	0	minus highest number		
previously paid for	3	(at least 3) =	0 x \$ 88.00	\$ 0.00

If proper multiple dependent claims now added for first time, add \$300.00 (ignore improper)	\$ 0.00
--	---------

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$430.00/2 months; \$980.00/3 months)	\$ 980.00
--	-----------

Terminal disclaimer enclosed, add \$ 110.00	\$ 0.00
---	---------

<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$790.00)	\$ 0.00
---	---------

☐ Please enter the previously unentered, filed

☐ Submission attached

**Subtotal \$ 980.00**

Less 1 month extension previously paid on <b>August 17, 2004</b>	-\$ 110.00
--	------------

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)	\$ 0.00
--	---------

Assignment Recording Fee (\$40.00)	\$ 0.00
------------------------------------	---------

Other:	0.00
--------	------

**TOTAL FEE ENCLOSED \$ 870.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
MJW:tat

NIXON & VANDERHYTE P.C.  
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

CHRISTOPHERS et al

Atty. Ref.: 3774-4; Confirmation No. 1948

Appl. No. 09/833,799

Group: 1645

Filed: April 13, 2001

Examiner: Duffy, P.A.

For: NUCLEIC ACIDS

\* \* \* \* \*

October 18, 2004

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SECOND AMENDMENT UNDER RULE 116**

This is in response to the Advisory Action dated September 8, 2004, in the above matter, a Notice of Appeal having been filed May 17, 2004, and the period for response having been extended up to October 17, 2004 (a Sunday), by submission of the required petition and fee herewith. Kindly amend the above-identified application as follows.

10/19/2004 JADD01 00000027 09833799

01 FC:1253

870.00 0P